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C O N F I D E N T I A L SECTION 01 OF 02 KYIV 001469

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SUBJECT: UKRAINE: RADA LOSES QUORUM, BUT HURDLES MAY REMAIN

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Classified By: Deputy Chief of Mission Sheila Gwaltney for reasons 1.4(a,b,d).

¶1. (C) Summary. After weeks of stalling by the coalition, and especially by Speaker Moroz, Deputy Speaker Martynyuk on June 15 read aloud from the Rada rostrum the final group of names of opposition deputies who have resigned from their Rada factions, reaching the total of 156 and formally depriving the Rada of a quorum. However, comments from Prime Minister Yanukovych and members of Party of Regions indicated that movement towards new elections will continue at a slow crawl. The PM acknowledged the resignations to the press, but raised the issue that the CEC has not yet annulled Our Ukraine and BYuT's party lists, leaving the Rada's status in question. The PM and Regions MPs have been attacking the CEC in the press all week for not taking up this issue, and Regions MP Vecherko told us privately that the Rada faction is still largely opposed to new elections. Deputy Speaker Martynyuk announced that the Rada will be back in plenary session on Tuesday, June 19.

¶2. (C) Comment. Getting the 156 resignations announced was a milestone in fulfilling the conditions of the May 27 agreement between Yanukovych, President Yushchenko, and Speaker Moroz, but the PM did not issue the subsequent statement that Regions considered the Rada closed, as he and faction leader Bohatyreva had told us he would (reftel). The CEC did tell us that there were still legal hurdles to dissolving the OU list and the Kyiv appellate court has not yet ruled on this question, but comments by members of all three coalition factions indicate that there is still a lot of grumbling about early elections from within the Rada. Yushchenko cannot formally call elections until July 29 (to meet the 60-day clock set by the constitution), so there is time for politicians to slowroll this without derailing the campaign. However, as both CEC Chairman Shapoval and opposition leader Tymoshenko told Ambassador--it may take an act of political will, especially on the part of the Prime Minister, to move definitively into the campaign process. End summary and comment.

Rada Ending With a Whimper

¶3. (C) The announcement of another 51 opposition resignations was not without some drama. Socialist MP Mordovets told us that at a coalition meeting on June 14, Regions had announced that June 15 would be the last day of plenary session, but the Socialists had spoken out against the plan. The June 15 morning Rada session started with BYuT and OU MPs milling around the parliament lobby and crowding into the offices of Moroz and of Rada Secretariat Head Zaichuk in an effort to

force the readings of the rest of the opposition MPs who resigned. BYuT MP Andriy Shevchenko told us that Tymoshenko had called him back from his vacation in Turkey so that he could be present to confirm that he had submitted a resignation letter. Several MPs told us that Moroz held a meeting earlier that morning at which he said that the letters would be read, but that he personally would not do it. Moroz then tried to open the plenary session with normal business on a draft law, prompting a press conference in the hall by Tymoshenko ally Oleksandr Turchynov condemning the stalling tactics. After some vague comments about opposition MPs begging him not to read their letters, Moroz walked out of the session. Martynyuk then began reading letters, 51 in all, for a total of 156 resignations. (Note. 151 are needed to deprive the Rada of a quorum. End note.)

Is the Rada Closed for Business?

¶4. (C) Somewhat clouding the issue of whether this was really the Rada's last day, after reading the resignations, Martynyuk announced that the Rada would hold its next plenary session on Tuesday June 19. Mordovets told us he thought the Rada would continue working, despite Regions statements that they would stop attending. Regions MP Vecherko told us that the faction was not yet agreed that new elections were the right thing and that he thought the Rada would keep working. He also said that Regions financier Akhmetov may tell the Ambassador one thing about early elections, but he had promised the faction that they would not happen.

CEC: Under Siege

¶5. (C) Later on June 15 Yanukovych told the press that although the 151 MPs had resigned, the CEC had not dissolved the OU and BYuT party lists, so the Rada's status remained

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unclear. His was the latest in a series of attacks in the press this week by Regions members charging that the CEC was politicized and shirking its work. The Socialists and Communists have bluntly stated that they believe the CEC should be moving people from the OU list into the Rada. Regions members have been more circumspect in the criticism of the CEC, but they seem to be implying the same thing, in contradiction to what Yanukovych, Bohatyreva, and Miroshnychenko told us about wanting to move forward with elections. Regions deputy faction leader Chechetov also accused the SBU of staking out the CEC building and electronically eavesdropping on coalition-appointed CEC members.

¶6. (C) Comment. With only roughly 90 MPs showing up for the Rada session today--as opposed to the 270 officially registered--it seems that many MPs have de facto decided the Rada is closing up shop. The newly-constituted CEC managed to get a quorum to hold its first meeting June 15. discussing with the State Border Guards the plan to update the voters registry. However, for the most part, the CEC has remained mum on the issue of the OU's voter list. Also on a rather unhelpful note, Regions MP Kiselyov suggested to journalists that now that Tymoshenko had lost her deputy's immunity, she should be investigated for unspecified crimes. He said he would appeal to the Prosecutor General's Office in the near future.

¶7. (U) Visit Embassy Kyiv's classified website:
www.state.gov/p/eur/kyiv.
Taylor